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ACOG 8760

**This notice of authorization must be
conspicuously displayed at the site of work.**

United States Army Corps of Engineers

September 16, 1991

A permit to dredge up to 20,000 cubic yards of material per year for the
next ten years.

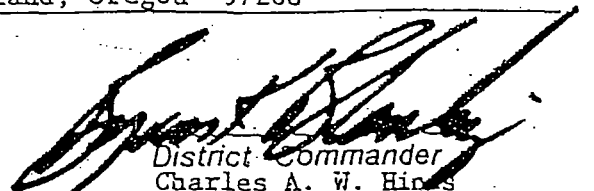
at River Miles 11, 10, 5, 1, and the Swan Island Repair Yard, Willamette
River, Oregon.

has been issued to Port of Portland on Sept. 16, 1991

Address of Permittee Box 3529, Portland, Oregon 97208

Permit Number

071-OYA-1-008760


District Commander
Charles A. W. Hines
Colonel, Corps of Engineers
District Engineer

ENG FORM 4336, Jul 81 (33 CFR 320-330) EDITION OF JUL 70 MAY BE USED

(Prepared: CECW O)

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DEPARTMENT OF THE ARMY PERMIT

Permittee: P 008760

Permit No. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT

Issuing term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" means the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To clamshell dredge up to 20,000 cubic yards of material per year from terminals 1 (Willamette River mile 11), 2 (mile 10), 4 (mile 5), 5 (mile 1), and the Swan Island Repair Yard (miles 8 - 9). The project involves dredging material on an "as needed" basis for the next 10 years.

Purpose: To provide and maintain adequate depths at the terminals and repair yard.

Drawings: Three sheets marked 008760 (Columbia River - Dredging)

Project Location: Terminals 1 (Willamette River mile 11), 2 (mile 10), 4 (mile 5), 5 (mile 1), and the Swan Island Repair Yard (miles 8 - 9) located in the Willamette River in Multnomah County, Oregon.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on February 1, 2001. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this required if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

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4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions: See, page 2a

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the Rivers and Harbors act of 1899 (33 U.S.C. 403).
 - () Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses therefore as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses therefore as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Designed or construction deficiencies with the permitted work.

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Permit No: 071-OYA-1-008760 Special Conditions a. through i.

✓ a. All digging passes of the dredging bucket, which may include grab or clamshell, dipper, dragline, or backhaul bucket, shall be completed without any material, once in the bucket, from being returned to the waterway.

b. You must advise the Regulatory and Resource Branch in writing at least two weeks before you start maintenance dredging activities authorized by this permit. You must also specify your plans and site location(s) for dredged material disposal.

c. You shall comply with the timing restrictions for in-water work as imposed by the Oregon Division of State Lands.

✓ d. Turbidity increase is limited to 10% increase above background as measured 100 feet downstream from the project or within the Swan Island lagoon area.

e. The applicant will provide a dredging data report at yearly intervals until the project is completed. At project completion, a final report shall be submitted. The data needed in the reports shall include the amount and location where the material was taken, the quality or kind of material excavated, pre- and post-depths where the material was excavated, and other relevant information that may be useful to help understand and characterize the nature of the channel's substrate. **SEBASTIAN ?**

(f) In order to avoid possible conflicts in dredging and equipment movement in the Columbia River, site-specific locations shall be provided to the Waterways Project Subsection of the Navigation Branch in Operations Division at least 30 days prior to the start of mining. **CHILDS TO ASK JUDY**

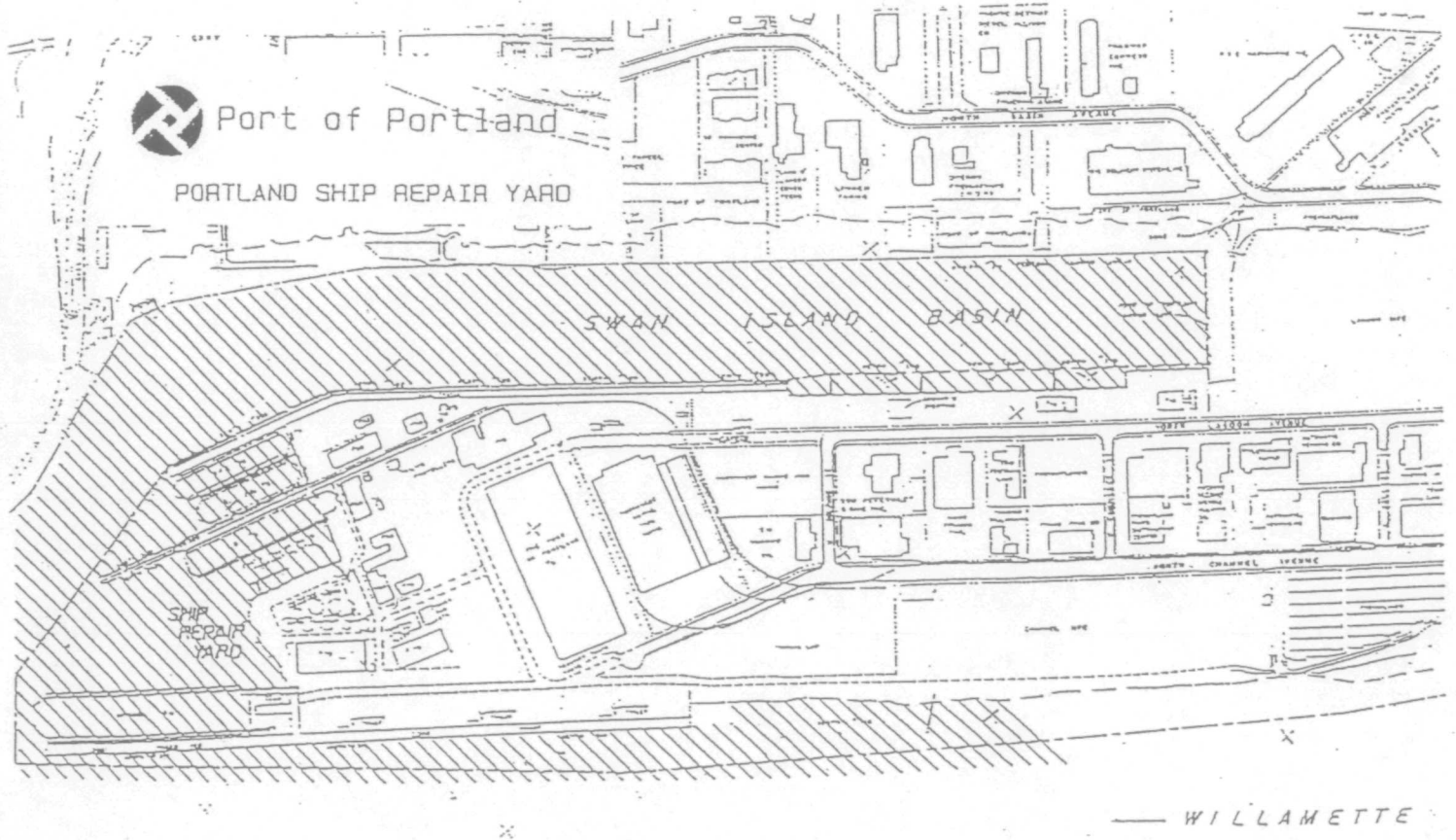
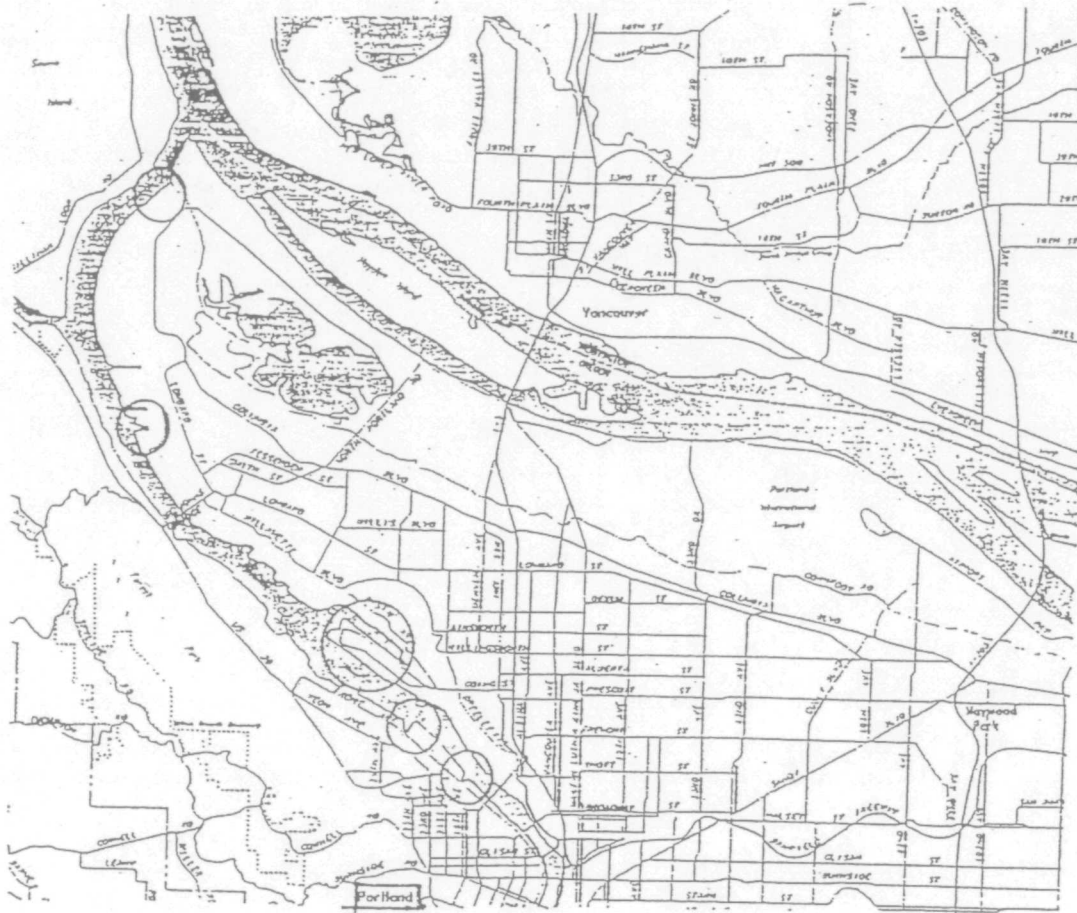
g. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

h. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at: Commander, Thirteenth Coast Guard District, US Coast Guard - OAN, 915 Second Avenue, Seattle, Washington 98174-1067 (206/442-5864).

i. This authorization for maintenance dredging is valid until 1 February 2001.

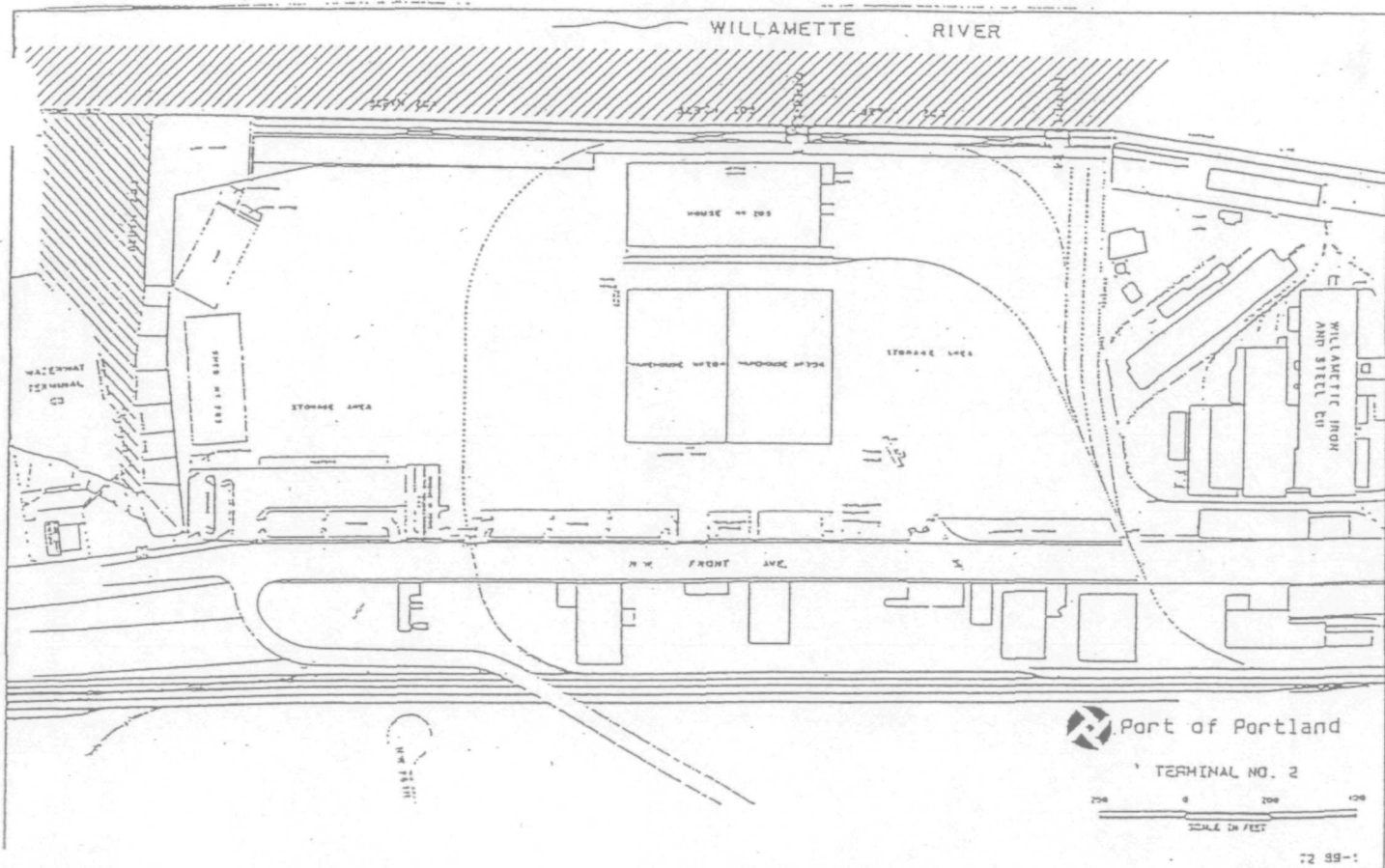
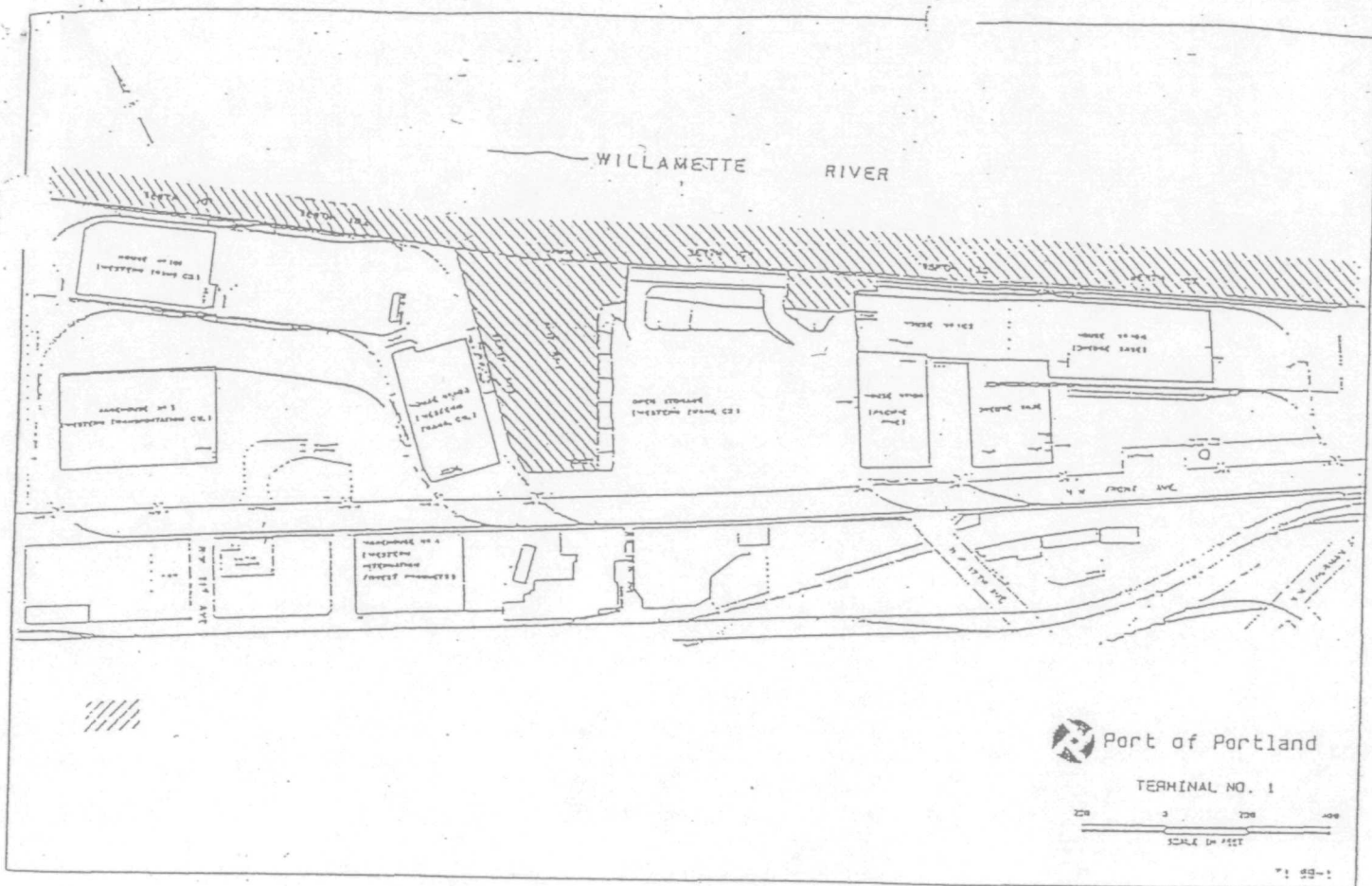
Permit No: 071-OYA-1-008760

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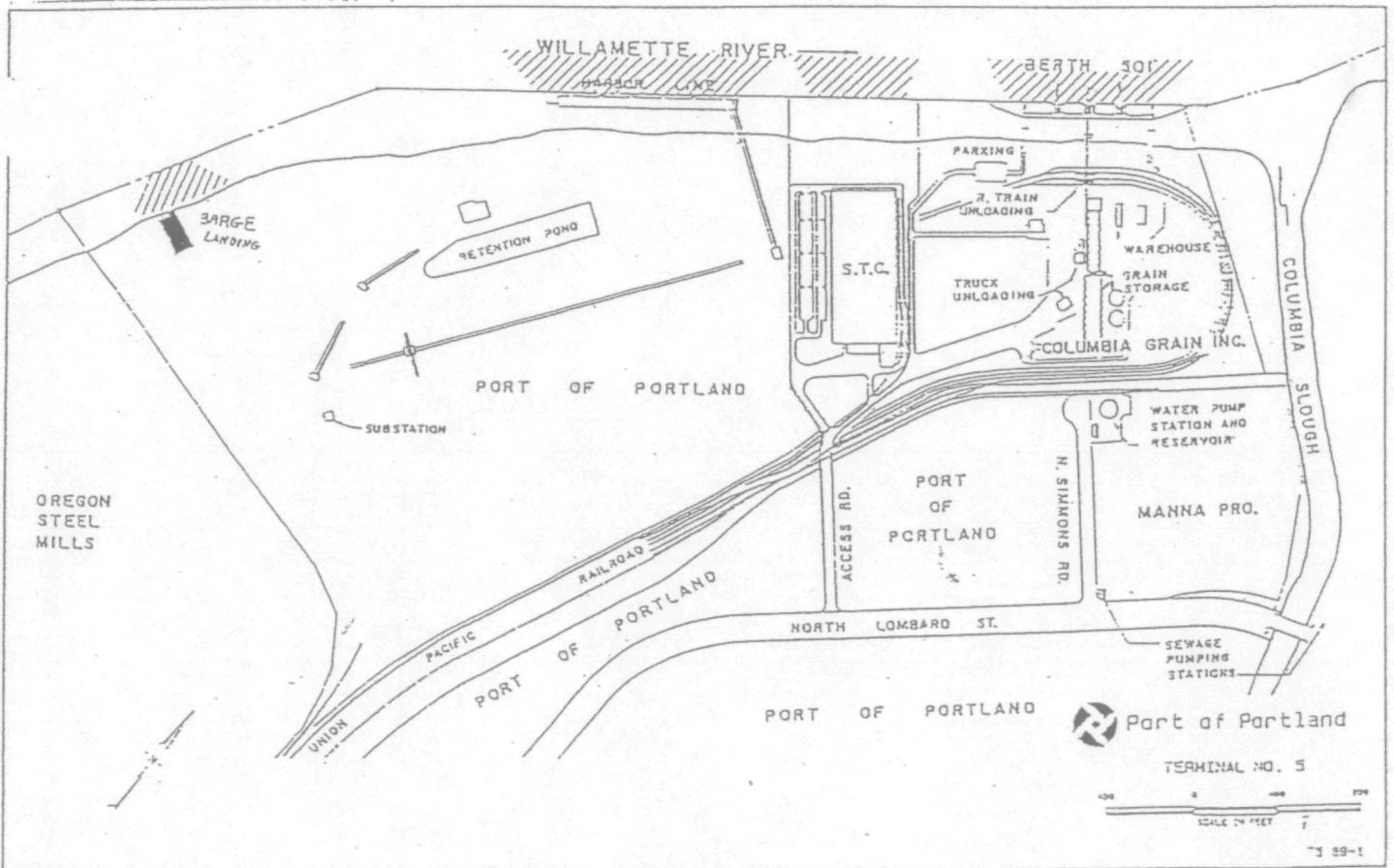
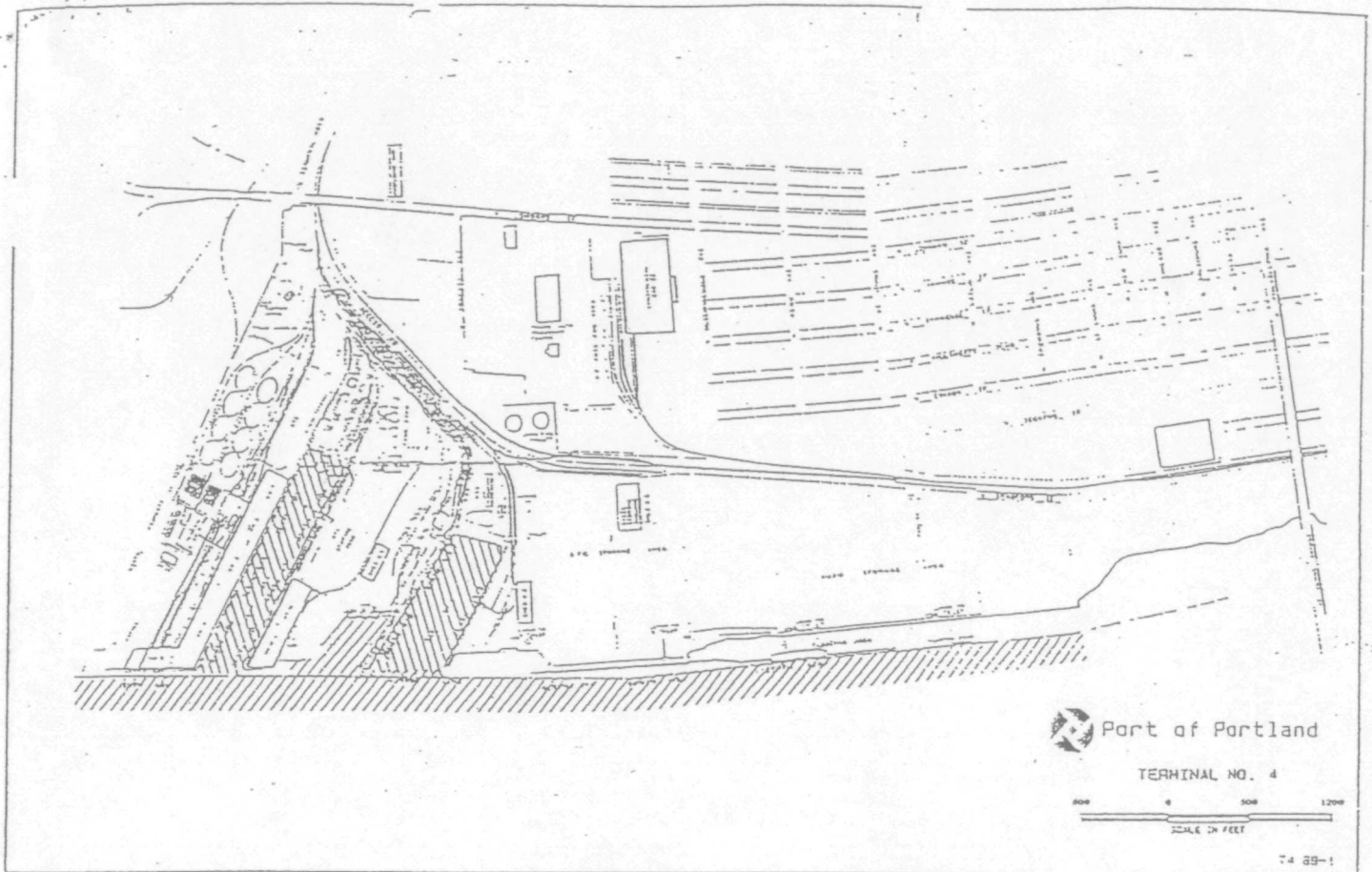
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 willamette River
 at Terminals 1, 2, 4, & 5 and the Swan Island Ship Repair Yard

Port of Portland
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